

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JASON D. BETZ,)	
)	Civil Action No. 05 - 1439
Plaintiff,)	
)	Judge Thomas M. Hardiman
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
WARDEN CAROL WILSON)	
)	
Defendants.)	

ORDER

The above captioned case was initiated on October 15, 2005 by the filing of a Motion to Proceed In Forma Pauperis (Doc. No. 1) accompanied by a Complaint. It was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (Doc. No. 13), filed on December 14, 2006, recommended that the Complaint (Doc. No. 3) be dismissed due to Plaintiff's failure to prosecute this action. The Plaintiff was served at SCI Retreat, 660 State Route 11, Hunlock Creek, PA 18621 and on counsel for the Defendant. The parties were advised they were allowed ten (10) days from the date of service to file written objections to the report and recommendation. No objections have been filed. After review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

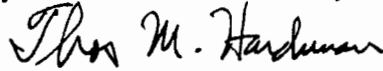
AND NOW, this 9th day of January, 2005;

IT IS HEREBY ORDERED that Plaintiff's Complaint (Doc. No. 3) is **DISMISSED** for failure to prosecute this action.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 13) of Magistrate Judge Lenihan, dated December 14, 2006, is adopted as the opinion of the court.

Dated:

By the Court:

A handwritten signature in black ink, appearing to read "Thom M. Hardiman", written over a horizontal line.

Thomas M. Hardiman
United States District Judge

cc:Lisa Pupo Lenihan
United States Magistrate Judge

Jason D. Betz
FB - 4105
SCI Retreat
660 State Route 11
Hunlock Creek, PA 18621

Counsel of record.